

Katy Ross Discusses Fast-Developing Landscape for Commercial Drone Regulations

Law360

November 5, 2018

Katy M. Ross, partner in Wiley Rein's Telecom, Media & Technology Practice, was quoted extensively by *Law360* in a November 1 article addressing what communications lawyers should know about regulations for commercial drones, also known as unmanned aircraft systems (UAS).

According to the article, communications attorneys should focus on spectrum allocations, FCC compliance, and rapid changes in UAS regulation. While UAS have typically operated on an unlicensed spectrum, which is not protected from interference, new drone models are designed to travel longer distances and will require their own dedicated spectrum.

"As they're starting to fly farther away ... even across state lines, they're going to need their own protected spectrum for command and control," said Ms. Ross.

Determining spectrum bands appropriate for operating larger UAS that travel longer distances – and how that spectrum is allocated – is still being determined, according to *Law360*. Mobile carriers are discussing the possibility that their wireless networks could be ideal for carrying command-and-control signals between drones and their operators.

Most commercial mobile radio service bands don't overtly rule out at-altitude uses, Ms. Ross said, and while mobile carriers take the position that they're authorized to use many of their spectrum bands for drone connections without additional approvals, "the FCC might be more conservative about that."

Practice Areas

Telecom, Media & Technology

“They already have the infrastructure, and with modifications, it could support drones across the country,” said Ms. Ross. “The question would be whether they can just go ahead and do that today.”

There’s also an emerging counter-drone technology, which could essentially jam drone communications over certain properties if an owner doesn’t want unmanned aerial vehicles flying near their property, according to *Law360*.

Signal-jamming, however, is illegal and runs afoul of both FCC and Federal Aviation Administration rules, Ms. Ross pointed out. “I don’t know [that] this message has been received by the drone jamming startup community,” she said.

The full article can be found here (*subscription required*).